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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No. 67292

Group: 1631

Confirmation No.: 5007

Application No.: 10/074,178 ✓

Invention: MULTI-TEST ANALYSIS OF
REAL-TIME NUCLEIC ACID
AMPLIFICATION

Inventor: David J. Eyre

Filed: February 12, 2002

Attorney
Docket: 43387-69889

Examiner: Smith, Carolyn L.

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on March 19, 2007


(Signature)

Joyce Hamilton
(Printed Name)

SUBMISSION OF POWER OF ATTORNEY
TO PROSECUTE APPLICATIONS BEFORE THE USPTO
AND
STATEMENT UNDER 37 C.F.R. § 3.73(B)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits for the above-identified application the following: (1) Power of Attorney to Prosecute Applications Before the USPTO (Form PTO/SB/80) signed on February 2, 2007 by the Legal Counsel for Idaho Technology, (2) a Statement Under 37 C.F.R. § 3.73(b) (Form PTO/SB/96) for Idaho Technology. Please note that inventorship was changed during prosecution of this application by papers submitted on July 26, 2005. The

inventorship change resulted in the deletion of Carl T. Wittwer as an inventor. Accordingly, Idaho Technology is the only owner of the above-captioned application. Please charge any fees that may be due in connection with this submission to our Deposit Account No. 10-0435, for this matter 43387-69889, but not to include as payment of any issue fees.

Respectfully submitted,

BARNES & THORNBURG LLP



Rebecca L. Ball, Esq.
Registration No. 46535

Indianapolis, Indiana
317-231-7511

Doc Code:

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: David J. EyreApplication No./Patent No.: 10/074,178 Filed/Issue Date: February 12, 2002Entitled: **MULTI-TEST ANALYSIS OF REAL-TIME NUCLEIC ACID AMPLIFICATION**Idaho Technology, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
 2. an assignee of less than the entire right, title and interest
 The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at 012935, Frame 0923, or a true copy of the original is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
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3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Rebecca Ball

Signature

Rebecca L. Ball

Printed or Typed Name

3/19/07

Date

317-231-7511

Telephone number

Attorney of Record

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Doc Code:

PTO/SB/80 (01-08)

Approved for use through 12/31/2008. OMB 0651-0035

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POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:



Practitioners associated with the Customer

67292

OR



Practitioner(s) named below (If more than ten practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

The address associated with Customer

67292

OR

Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Email

Assignee Name and Address:

Idaho Technology
390 Wakara Way
Salt Lake City, UT 84108

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	2 Feb 2007
Name	Jill T. Powlick	Telephone	801-736-6354
Title	Legal Counsel		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.